

DoD Travel Issues

John S. Albanese

Senior Counsel

Washington Headquarters Services &
Pentagon Force Protection Agency

Office of General Counsel

The Pentagon

Washington, DC

Guiding Principles

- Public office may not be used for private gain
- Federal property may be used only for authorized purposes
- Employees shall avoid creating the appearance that they are violating the law or ethical standards



Funds available to a Federal agency, by appropriation or otherwise, may be expended by the Federal agency for the maintenance, operation, or repair of any passenger carrier only to the extent that such carrier is used to provide transportation for official purposes.

-- 31 U.S.C. § 1344



- Only persons whose transportation benefits the Government
- Scheduled and arranged to be the most cost-effective for the Government, not to maximize the personal convenience of the traveler
- Government transportation rules must be applied uniformly and not to selectively benefit someone solely because of rank or position

Modes of Transportation.

Once use of a Government vehicle is determined to be essential to the performance of official business, the following modes of transportation shall be considered in the following order, to the extent it is available and capable of meeting mission requirements:

- Scheduled DoD bus service;
- Scheduled public transportation;
- DoD motor vehicles;
- Voluntary use of privately owned vehicle (POV) (reimbursable);
- Taxi (reimbursable).



They had reduced rate on ticket sales today.

Air Travel

- Military Air: There are some “required users” of Military Air.
 - SecDef; C,JCS; and SACs for ALL travel.
 - DepSec; Military Department Secretaries; Vice Chairman and Joint Chiefs of Staff; Commanders of Combatant Commands; and 4-Star Generals for OFFICIAL travel only.

- MilAir may be authorized for others (official travel):
 - More cost-effective;
 - Highly unusual circumstances present a clear and present danger or other emergency; or
 - Other compelling operational considerations make commercial transportation unacceptable.

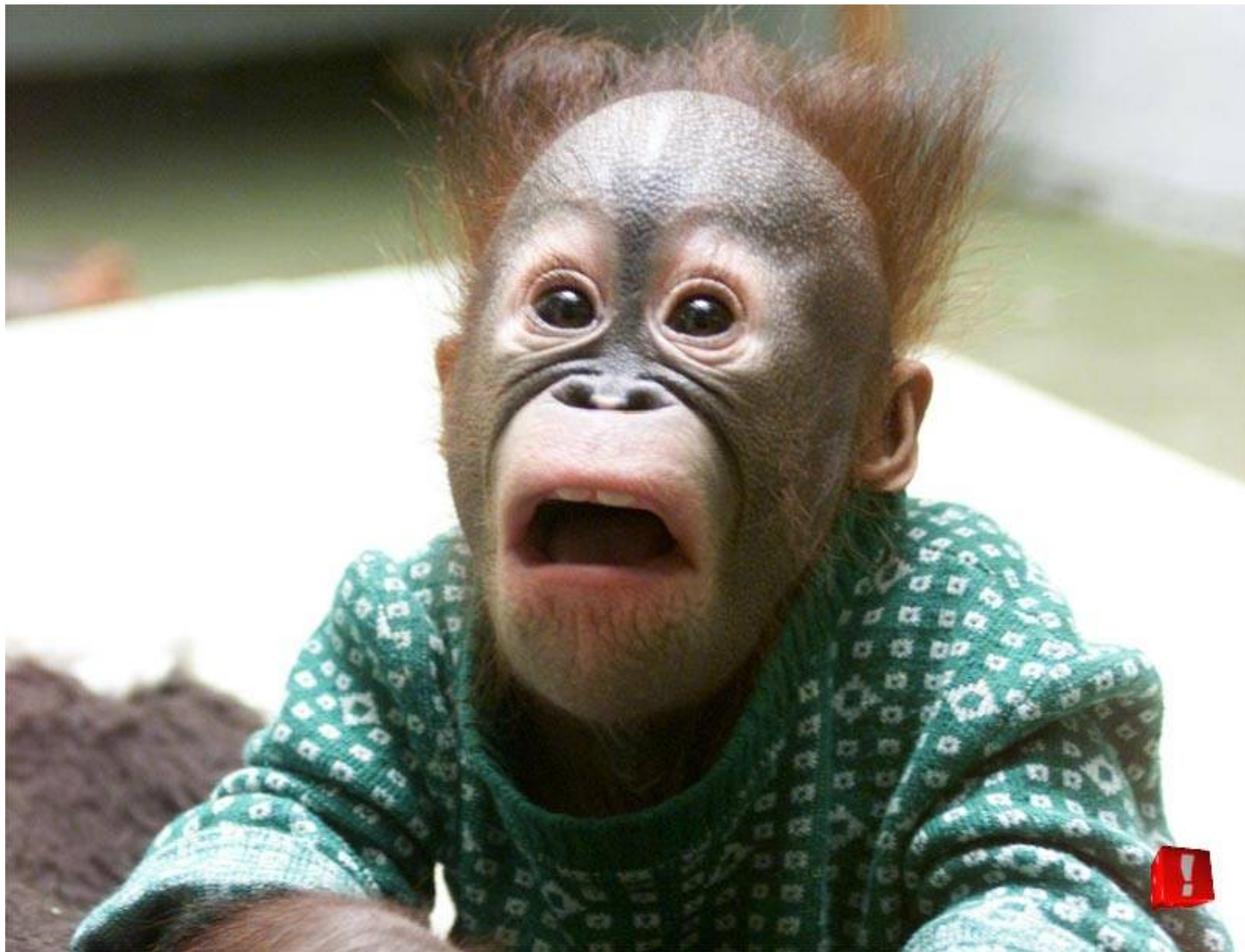
- MilAir may be used by others for non-official business:
 - Must be accompanying a DoD or other Federal official who is traveling on MilAir on official business; and
 - May not displace official travelers or require larger aircraft; and
 - Travel is reimbursable at the full coach fare; and
 - Travel must be approved in advance, in writing, on a case-by-case basis.

Air Travel -- Contractors

- Contractors can not be issued ITAs
- Travel costs of Government contractors are governed by the rules in the FAR as a contract expense
- Generally, travel related items restricted to Government employees may not be given to contractors. Contractors may sometimes fly on MILAIR.

Commercial Air Travel

- It is the policy of the Government that employees and/or dependents that use commercial air carriers for domestic and international travel on official business shall use coach-class airline accommodations.
- Employees shall ascertain their travel requirements in sufficient time to book coach-class accommodations.



First Class Travel

- Plan in Advance, except for extenuating circumstances or emergency situations
- In the absence of specific authorization/approval, the employee shall be responsible for all additional costs resulting from the use of first-class air accommodations.

First Class Travel (continued)

- Justifying First Class Travel:
 - Only first class accommodations available; or
 - Other classes not “reasonably available.”
 - Scheduled to leave within 24 hours before the employee's proposed departure time, or scheduled to arrive up to 24 hours before the employee's proposed arrival time.
 - No requirement to arrive late or leave early.

First Class Travel (continued)

- Justifying First Class Travel (continued):
 - Medical condition substantiated by doctor
 - Exceptional security circumstances
 - Coach-class airline accommodations on foreign carriers don't provide adequate sanitation or health standards, and the use of foreign flag air carrier service has been approved.

Business Class Travel

- Plan in Advance, except for extenuating circumstances or emergency situations
- In the absence of specific authorization/ approval, the employee shall be responsible for all additional costs resulting from the use of business class air accommodations.

Business Class Travel (continued)

- Justifying Business Class Travel:
 - Only premium class accommodations available
 - Space is not available in coach-class airline accommodations on any scheduled flight in time to accomplish the purpose of the official travel, which is so urgent it cannot be postponed

Business Class Travel (continued)

- Justifying Business Class Travel (continued):
 - Medical condition substantiated by doctor
 - Exceptional security circumstances
 - Results in Overall Savings to the Government

Business Class Travel (continued)

- Justifying Business Class Travel (continued):
 - Obtained as an accommodation upgrade through the redemption of frequent traveler benefits.
 - The employee's transportation is paid in full through the DoD component's acceptance of payment from a non-Federal source.

Business Class Travel (continued)

- Justifying Business Class Travel (continued):
 - Long Flight:
 - Several Time Zones; and
 - Origin or Destination outside CONUS; and
 - TDY cannot be delayed or postponed; and
 - Scheduled flight time in excess of 14 hours, w/o rest before commencing duties at TDY site

- ***The length of flight (14, 20, 30, 40 hours) in and of itself is not sufficient justification to authorize premium class accommodations. The justification must be that the TDY mission was so unexpected that traveler was unable to schedule a flight arriving the day prior to allow rest before starting work or a layover en route to allow rest before traveling on to the destination to begin work. When using flight length to justify business-class accommodations, the business-class authorizing/ approving official must cause the travel authorization to be clearly annotated as to when the TDY travel was identified, when travel reservations were made, and the cost difference between coach-class and business-class accommodations.***

Shuttle Bus Transportation

- OK for official business between offices on installations or between nearby installations
 - Military personnel, DoD employees, and other Federal employees between offices and work areas
 - Enlisted personnel between troop billets and work areas (Korea exception for Officers)
 - DoD contractor personnel conducting official defense business



Shuttle Buses (continued)

- Space-available transportation on existing, scheduled shuttle buses:
 - Off-duty personnel
 - Reserve and National Guard members
 - Dependents of active duty personnel
 - Retirees
 - Visitors
 - Some Volunteers



Mass Transit Services

31 U.S.C. § 1344 now permits the use of passenger carriers to transport federal employees between their place of employment and mass transit facilities. (31 U.S.C. § 1344(g)) On December 18, 2006, the Deputy Secretary of Defense issued a memorandum implementing this amendment for the Department of Defense. (OSD 18687-06) Note that there are very strict approval authorities, findings, and procedures necessary before this permission may be implemented locally. This change will be incorporated into the upcoming revision of DoD 4500.36-R, “Management, Acquisition and Use of Motor Vehicles.”

